

## SENATE BILL No. 236

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2-223.5; IC 13-18-21-23;  
IC 13-18-21-25.

**Synopsis:** Storm water management programs. Permits the budget agency to make grants to political subdivisions from the supplemental drinking water and wastewater assistance fund for tasks associated with the development and preparation of long term control plans, use attainability analyses, and storm water management programs. Directs the budget agency to establish the terms and conditions under which it will make the grants not later than September 1, 2001.

**Effective:** Upon passage; July 1, 2001.

**Gard**

January 9, 2001, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 236

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 13-11-2-223.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2001]: **Sec. 223.5. "Storm water management**  
4 **program", for purposes of IC 13-18-21, means a program that is**  
5 **consistent with the requirements in:**

6 (1) **40 CFR 122.26(d)(2)(iv) for a proposed management**  
7 **program; or**

8 (2) **40 CFR 122.34 for a storm water management program.**

9 SECTION 2. IC 13-18-21-23, AS AMENDED BY P.L.132-1999,  
10 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2001]: Sec. 23. Money in the supplemental fund may be used  
12 to do the following:

13 (1) Provide grants, loans, or other financial assistance to or for the  
14 benefit of participants for the planning, designing, acquisition,  
15 construction, renovation, improvement, or expansion of public  
16 water systems and other activities necessary or convenient to  
17 complete these tasks, whether or not those other activities are



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permitted by the federal Clean Water Act or the federal Safe Drinking Water Act.

(2) Provide grants, loans, or other financial assistance to or for the benefit of political subdivisions for the planning, designing, acquisition, construction, renovation, improvement, or expansion of wastewater or ~~stormwater~~ **storm water** collection and treatment systems and other activities necessary or convenient to complete these tasks, whether or not those other activities are permitted by the federal Clean Water Act or the federal Safe Drinking Water Act.

**(3) Provide grants to political subdivisions for tasks associated with the development and preparation of:**

**(A) long term control plans;**

**(B) use attainability analyses; and**

**(C) storm water management programs.**

**(4)** Pay the cost of administering the supplemental fund and the supplemental program.

~~(4)~~ **(5)** Conduct all other activities that are permitted by the federal Clean Water Act or the federal Safe Drinking Water Act.

SECTION 3. IC 13-18-21-25, AS AMENDED BY P.L.132-1999, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 25. (a) The budget agency may make grants or loans or provide other financial assistance from the supplemental fund for the benefit of a participant under the following conditions:

(1) A grant, loan, or other financial assistance may be used:

(A) for planning, designing, acquiring, constructing, renovating, improving, or expanding public water systems, and other activities necessary or convenient to complete these tasks;

(B) to:

(i) establish reserves or sinking funds; or

(ii) provide interest subsidies;

(C) to pay financing charges, including interest on the loan during construction and for a reasonable period after the completion of construction; or

(D) to pay the following:

(i) Consultant, advisory, and legal fees.

(ii) Other costs or expenses necessary or incident to the grant, loan, or other financial assistance or the administration of the supplemental fund or the supplemental program.

(2) The budget agency must establish the terms and conditions

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that the budget agency considers necessary or convenient to make grants or loans or provide other financial assistance under this chapter.

(b) In addition to its powers under subsection (a), the budget agency may also make grants or loans or provide other financial assistance from the supplemental fund to or for the benefit of a political subdivision under the following conditions:

(1) A grant, loan, or other financial assistance may be used:

(A) for planning, designing, acquiring, constructing, renovating, improving, or expanding wastewater or ~~stormwater~~ **storm water** collection and treatment systems, and other activities necessary or convenient to complete these tasks;

(B) to:

(i) establish reserves or sinking funds; or

(ii) provide interest subsidies;

(C) to pay financing charges, including interest on the loan during construction and for a reasonable period after the completion of construction; or

(D) to pay the following:

(i) Consultant, advisory, and legal fees.

(ii) Other costs or expenses necessary or incident to the grant, loan, or other financial assistance or the administration of the supplemental fund or the supplemental program.

(2) **A grant may be used for tasks associated with the development and preparation of:**

**(A) long term control plans;**

**(B) use attainability analyses; and**

**(C) storm water management programs.**

(3) The budget agency must establish the terms and conditions that the budget agency considers necessary or convenient to make grants or loans or provide other financial assistance under this chapter.

**SECTION 4. [EFFECTIVE UPON PASSAGE] (a) Not later than September 1, 2001, the budget agency shall establish the terms and conditions under which it will make grants to political subdivisions under IC 13-18-21-25(b)(2), as added by this act.**

**(b) This SECTION expires September 2, 2001.**

**SECTION 5. An emergency is declared for this act.**

